

CITY OF SAINT MARYS REGULAR COUNCIL MEETING

SEPTEMBER 19, 2011

CALL TO ORDER

The regular monthly Council meeting of the City of Saint Marys was called to order by Mayor Sally Geyer on Monday, September 19, 2011 at 7:00 p.m. The meeting was held in the Council Room of City Hall, 11 LaFayette Street. Notice of this meeting was sent to Council on September 15, posted at City Hall, and published in the Daily Press.

ROLL CALL

Present: Mayor Sally Geyer, Richard Gabler, Jr., Bob Roberts, Dennis Nero, Richard Dornisch, Steven Skok, Daniel Hepner, Manager David Greene, and Solicitor Mark Jacob.

VISITORS

Visitors included: Warren Stewart, Denny Bauer, Tina Gradizzi, John Copelli, Brendan Wendel, Tim Schreiber, William Upperman, Ned Jacob, Richard Sadley, Gwen Auman, Betsy Schreiber, Beth Upperman, Andrew Vallone, Donna Wendel, Mike Brock, Kim Hoffman, and Tom Nicklas. Matthew Pfeufer and Jackie Severance did not sign in.

APPROVAL OF MINUTES
August 15, 2011

Daniel Hepner, made a motion to approve the minutes of August 15, 2011, seconded by Steven Skok, and all were in favor, except Dennis Nero, who abstained.

REPORT ON EXECUTIVE SESSIONS

An Executive Session was held immediately following the August 15th, 2011 Council meeting and prior to tonight's Council meeting; both sessions were regarding real estate matters.

Added to agenda

Mayor Geyer stated an Agreement of Sale for the Airport Industrial Park would be added to the agenda under legislative action.

2nd PUBLIC HEARING: 2011
Community Block Grant Program

Mayor Geyer opened the public hearing at 7:02 p.m.

Tina Gradizzi, Community Development Block Grant Coordinator, stated this was the final public hearing for the solicitation of public comment concerning the 2011 CDBG projects. The first hearing was held on Monday, December 6, 2010 and was advertised November 26, 2010. Another public hearing was advertised December 24, 2010. A final hearing was needed because of the uncertainty of the CDBG program and the tardiness of the allocation decision. The Resolution for the application would be presented to Council for approval at tonight's meeting.

After the second public hearing on January 3, 2011 there was uncertainty of the future of the CDBG program. On Friday, August 26, 2011 notification was received of the 2011 allocation of \$326,731. The proposed projects are as follows:

Administration: \$58,800

The City will also allot 18% to cover administration costs as in the past.

Street Reconstruction/Improvements: \$267,931

Ms. Gradizzi announced, as was recently presented and approved by Council, the City also solicits Minority Business Enterprises (MBE's) and Women Business Enterprises (WBE's) for all projects that are bid. The

SEPTEMBER 19, 2011

City has set goals of 5% MBE and 3% WBE for all bids.

The application will be on display until September 28, 2011.

The hearing was then opened up for any public comments. There was no public comment.

Mayor Geyer questioned what the priority projects were and Ms. Gradizzi responded Street Construction and Road Improvements as multi-year.

Manager Greene commented specific streets will be based on the eligibility of funding.

Ms. Gradizzi stated residents will be mailed an income survey and stressed the importance of completing the surveys since 100% response is needed in order to qualify.

Steven Skok asked what the funding amount decrease was from last year and Ms. Gradizzi responded approximately 8 percent.

The public hearing was closed at 7:08 p.m.

CITIZEN COMMENTS ON AGENDA TOPICS

There were no citizen comments on agenda topics.

MANAGER'S REPORT

August 18- Attended a meeting of the Parking Committee with Councilmen Roberts and Skok.

August 14- Attended the Elk County Earned Income Tax Collectors Committee meeting in Ridgway.

September 3- Attended a Town Hall meeting with Senator Pat Toomey held at the Red Fern.

September 7- Met with Amy Cherry from the Daily Press and Joann Seltzer from the Courier Express to tour the new Parking Garage. The Garage opened on Monday September 12th to the public. The 30 days of free parking began on September 12th.

September 15- Met with Bob Ayoob from Thomas and Williamson to discuss the Parking Garage project.

September 16- Attended a CEDS Meeting held at the North Central Regional Planning and Development offices in Ridgway.

APPROVAL OF EXPENDITURES Motion

Richard Dornisch made a motion to approve the Expenditures from August 14, 2011 to September 13, 2011, seconded by Daniel Hepner.

Discussion

Mayor Geyer questioned a line item for Detsch Bros. Car Rental for the police department and Manager Greene responded because of the recent vandalism to numerous police cars, a rental was being utilized for one month until the new police cars arrived.

Motion Passed

All were in favor to approve the Expenditures.

SEPTEMBER 19, 2011

TREASURER’S REPORT

Mayor Geyer presented the following Treasurer’s Report as of August 31, 2011:

Total revenue for the general fund was at 73.68 percent of the budget and the expenditures were at 52.65 percent of the budget. Cash flow for the general fund as of August 31, 2011 was at \$2,653,798. And as of August 31, 2010 was at \$1,505,296. Market values decreased for the pension funds this month, but are still above market values as of August 31, 2010.

LEGISLATIVE ACTION

Consider for publication:
Ordinance No. 266, re: Maximum speed limits established on certain streets.

Ordinance No. 266 was presented to amend Chapter 15, Part 2, Section 201, of the St. Marys City Code pertaining to maximum speed limits established on certain streets.

Manger Greene read a memo from Public Works Director, Michael Mullaney explaining the proposed Ordinance changes as follows:

A traffic/speed study was completed by PA-DOT regarding a reduction from 35mph to 25mph along S.R. 255 from Vine Street to Arch Street. After reviewing the current City Code book it was determined corrections were needed for the segments and offsets and to also reduce the speed limit on S.R. 255 from the railroad tracks at Railroad Street to 416 feet south of the Vine Street intersection to 25 mph.

Motion

Richard Gabler, Jr. made a motion to publish Ordinance No. 266, seconded by Dennis Nero.

Discussion

Daniel Hepner commented he was now in agreement with the speed reduction.

Richard Dornisch also agreed with the reduction in speed, but didn’t think it would have much of an effect.

Richard Gabler, Jr. believed the motorists would slow down if the reduction was made.

Mayor Geyer agreed with Mr. Gabler.

Motion Passed

All were in favor to publish Ordinance No. 266.

Ordinance No. 267, re: Pertaining to permitted parking, special purpose parking, metered and unmetered parking lots, fines and penalties.

Ordinance No. 267 was presented to amend various portions of Chapter 15, Parts 4, 5, 6 and 7 of the St. Marys City Code, pertaining to permitted parking, special purpose parking, metered and unmetered parking lots, fines and penalties.

Bob Roberts explained the proposed Ordinance was a result of the Parking Committee meetings that contained a variety of community input. The Committee also included necessary updates to the current City Code. Some of the price increases were based on the opinion that parking should be paid for by the user and not the taxpayer.

Motion

Daniel Hepner made a motion to publish Ordinance No. 267, seconded by Richard Gabler, Jr.

Discussion

Richard Dornisch had several concerns with the

SEPTEMBER 19, 2011

Ordinance. He stated he had a problem with the no parking within and City lot from 2:00 a.m. until 6:00 a.m. and how it would affect the bar and bakery workers.

Bob Roberts responded by stating the no parking within the City lots originated with the problem of snow removal. The restriction of time would open a specific time frame to be able to plow snow. He also stated the Parking Garage would be available 24 hours and would be an option for those workers.

Mr. Dornisch suggested possibly 2:30 a.m. until 5:30 a.m. accommodating the downtown workers.

Steven Skok stated the 2:00 a.m. until 6:00 a.m. was discussed by the committee and the businesses did not disagree with it.

Richard Dornisch was also concerned with the increase in fines.

Bob Roberts stated the increase was needed to meet rising costs and the 2:00 a.m. until 6:00 a.m. was the standard no parking time for the rest of the parking in the City.

Motion Passed

All were in favor to publish Ordinance No. 267.

Consider for adoption:

Resolution No. 11-20, re: 2011 CDBG Application

Resolution No. 11-20 was presented authorizing the filing of the Community Development Block Grant application to DCED for 2011.

Richard Gabler, Jr. made a motion to approve Resolution 11-20, seconded by Richard Dornisch, and all were in favor.

Resolution No. 11-21, re: amending Resolution 10-8 pertaining to the City of St. Marys Fee Schedule

Resolution No. 11-21 was presented amending Resolution 10-8 pertaining to the City of Saint Marys Fee Schedule.

The following fees shall be changed and/or revised as follows:

1. Parking Garage Permits- \$10.00 per month from 6:00 a.m. until 6:00 p.m.
\$30.00 per month for 24 hour parking
2. All other Parking Permits- \$15.00 per month from 6:00 a.m. until 6:00 p.m.

Bob Roberts explained the Parking Committee recommended permit parking be available at other locations besides the Parking Garage but those permits would be \$15.00 per month.

Motion

Dennis Nero made a motion to approve Resolution No. 11-21, seconded by Steven Skok.

Discussion

Daniel Hepner questioned what decided the 6:00 a.m. until 6:00 p.m. permit and Bob Roberts responded a twelve hour period was chosen to best accommodate the downtown workers.

CITY OF SAINT MARYS REGULAR COUNCIL MEETING

SEPTEMBER 19, 2011

Mayor Geyer questioned the \$30.00 per month 24 hour permit for the Parking Garage and Bob Roberts responded it would be for anyone who would need to park for 24 hours.

Richard Dornisch was concerned with the cost increase and thought within the next couple of months problems with the changes would come up.

Motion Passed

All were in favor to approve Resolution No. 11-21.

2012 Minimum Municipal Obligation
for Pension Plans

The 2012 Minimum Municipal Obligation report for the pension funds was presented. The report is done every year. Act 205 requires that the report be submitted and approved by the governing body of the City of St. Marys by September 30, 2011.

Total requirement for the police pension is \$276,352 and for the non-uniformed employees is \$166,352 for a total of \$442,704.

Daniel Hepner made a motion to approve the 2012 Minimum Municipal Obligation, seconded by Dennis Nero.

Bob Roberts questioned that last year the City raised the millage to reflect the Minimum Municipal Obligation and it looked like that would carry over to this year and Manager Greene responded it does.

All were in favor to approve the 2012 Minimum Municipal Obligation.

Subdivision Application, re: Partition
of land for Diana McCarthy, S.
Michael Road

A subdivision application was presented regarding a partition of land for Diana McCarthy for property located on S. Michael Road. The subdivision plan proposed to divide a 5.02 acre lot from a 7.31 acre parcel for the purpose of a lot addition to an adjoining parcel. The residual parcel is 2.29 acres and contains a single family dwelling with public water and sewage. The receiving parcel is 21.01 acres and contains a single family dwelling with public water and sewage disposal. The signature maps are signed and notarized. In the combined parcel deed description, the total square footage of the parcel was corrected. In the residual deed description, on Page 8 paragraph four, there is an extra "W". The Planning Commission had no other comments on the subdivision and recommended approval.

Motion Passed

Bob Roberts made a motion to approve the subdivision for the partition of land for Diana McCarthy, seconded by Richard Dornisch and all were in favor.

Appointment to the Municipal
Authority to fill the unexpired term of
Mark Kopp

Motion

Bob Roberts made a motion to appoint Dennis Nero to fill the unexpired term of Mark Kopp, seconded by Daniel Hepner.

Discussion

Richard Dornisch opposed Council members being appointed to another Board.

SEPTEMBER 19, 2011

Dennis Nero responded his term on Council ended at the end of this year.

Richard Gabler commented the letter of interest from Dennis Nero stated he was only submitting his name for consideration only if there were no other interested citizens.

Motion Passed

All were in favor to appoint Dennis Nero to the Municipal Authority to fill the unexpired term of Mark Kopp, term to end January 1, 2013, except Dennis Nero who abstained.

Request for free parking, re: Bavarian Fall Fest- September 23 thru September 25

A request for free parking for the Bavarian Fall Fest to be held on September 23 thru September 25 was received from committee member Kim Hoffman.

Kim Hoffman approached and stated the prior requests to Council did not include a request for free parking. She was requesting free parking for the entire downtown area.

Motion Passed

Richard Gabler, Jr. made a motion to approve the free parking request, seconded by Dennis Nero and all were in favor.

Approval to terminate the services of the Earned Income Tax Collector

Manager Greene explained state legislation mandated a county wide single Earned Income Tax Collector be obtained by January 2012. CenTax has already been chosen to be the new Earned Income Tax Collector for Elk County so a letter of termination to be sent to the current Earned Income tax Collector Dave Farabaugh of St. Marys Tax Service, is needed.

Motion Passed

Dennis Nero made a motion, with regrets, to terminate the services with David Farabaugh of St. Marys Tax Service, seconded by Bob Roberts and all were regrettably in favor.

Agreement of Sale for property in the Airport Industrial Park (Added to the agenda)

Manager Greene explained an Agreement of Sale was being presented for Council's approval tonight for property located within the Airport Industrial Park. Because the property is currently being leased by the St. Marys Soccer Association he provided the following information:

Explanation

At the end of July he met with representatives from a local industry that wished to expand their business here in St. Marys and create possibly 200 new jobs. After a lengthy review of the land available within the Industrial Park was completed the representatives questioned if the Soccer fields were available for sale. The first response given was no. After a review of the current License with the St. Mary Soccer Association, it was determined the termination clause stated the sale of the land could occur if the land was being sold for industrial development. The representatives determined they were only interested in Lot No. 7 and a portion of Lot No. 5, which was the location of the soccer fields. Tom Nicklas, President of the Soccer Association, was immediately contacted and informed of the events that had taken place. After a lengthy review of the Airport property for an alternative location for the soccer fields

CITY OF SAINT MARYS REGULAR COUNCIL MEETING

SEPTEMBER 19, 2011

he believed they had found a suitable site. The new location was subject to FAA approval, but hopefully it could be a long term solution for the relocation of the soccer fields. The new site is not located within the Industrial Park and is within a non-buildable area at the Airport.

Tom Nicklas, President of the St. Marys Soccer Association

Tom Nicklas, President of the St. Marys Association then approached Council and explained it was always understood the soccer fields could be moved. He, the Manager, and the interested business representatives had numerous meetings to discuss the matter. He believed it was for the good of the community and soccer would continue in St. Marys. It was not going away. It will simply be moved to a new location. He wanted to recognize previous Boards and volunteers and their families who put in so much time establishing the current facility. He commented the City had been very open with the Association from the beginning and the current Board members are satisfied with the decisions made. The Association will be able to accommodate the same number of children in the future.

Daniel Hepner made a motion to approve the Agreement of Sale between the City and SMC Powder Metallurgy in the amount of \$203,300 for property located in the St. Marys Airport Industrial Park, seconded by Richard Dornisch, and all were in favor.

TOPICS FOR DISCUSSION

Update on Oil and Gas Ordinance

Richard Dornisch requested an update on the Oil and Gas Ordinance revisions.

Mayor Geyer stated the proposed Ordinance was published in the newspaper on Saturday.

Matthew Pfeufer, Zoning Officer, explained the Ordinance would be sent to the Elk County Planning Commission sometime next week for their review and comment.

There will be a public hearing held in the near future and adoption of the Ordinance would only occur sometime in November.

**CITIZEN COMMENTS
ON NON-AGENDA TOPICS**

Jackie Severance, downtown resident, was concerned with increased traffic downtown, the price increase in the parking permits and the handicapped or elderly parking in the parking garage.

COUNCIL COMMENTS

Councilman Hepner

Daniel Hepner announced the Elk County Gas Task Force is sponsoring a seminar on Thursday, September 22, from 6:00 – 8:00 p.m. at the St. Marys Area Middle School. Subjects to be addressed were leasing, local regulations, changes in legislation and surface owner rights.

Councilman Roberts

Bob Roberts commented there was a lot of input for the Parking Committee recommendations and if the Ordinance is approved the Committee will be dissolved, if not, changes will be reviewed again. He also wanted to thank everyone who provided input into the changes.

CITY OF SAINT MARYS REGULAR COUNCIL MEETING

SEPTEMBER 19, 2011

Mayor Geyer

Mayor Geyer thanked the local boy scouts for attending.

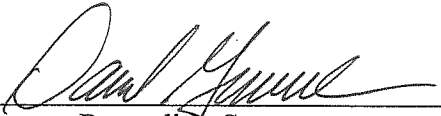
ANNOUNCEMENTS

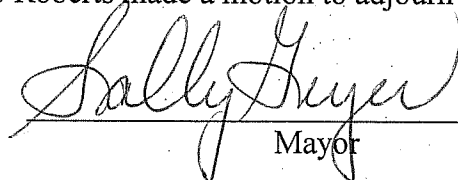
Mayor Geyer made the following announcements:

- The next Council meeting will be held Monday, October 3, 2011 at 7:00 p.m. at City Hall.
- Trick or Treat will be on Sunday, October 30th from 6 - 9 p.m. by porch light invitation only.

ADJOURNMENT

Bob Roberts made a motion to adjourn the meeting.



Recording Secretary

Mayor